

**OFFICE OF THE DISTRICT ATTORNEY
WESTCHESTER COUNTY**



WESTCHESTER COUNTY COURTHOUSE
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JANET DiFIORE
DISTRICT ATTORNEY

March 17, 2008

Hon. Charles L. Brieant
United States District Judge
United States District Court
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Re: Selwyn Days v Graham
07 Civ. 7484 (CLB)
Update - Status of State Proceedings

Your Honor:

This petition was held in abeyance pending the determination of the petitioner's state court motion to vacate the judgment pursuant to NY CPL 440.10.

This letter is written to advise the Court that the matter has been fully submitted to the Hon. Jeffrey Cohen, Westchester County Court, and is pending the Court's decision. Respondent will provide updates to the Court as they occur.

Thank you for your consideration of this matter.

Very Truly Yours,

JANET DiFIORE
DISTRICT ATTORNEY
A handwritten signature in black ink, appearing to read "JANET DiFIORE" above "Joseph M. Latino".
Joseph M. Latino
Assistant District Attorney

cc: Selwyn Days
04 A 3603
Auburn Correctional Facility
PO Box 618
Auburn, New York 13021